

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHRISTOPHER BRIGGS,

Plaintiff,

v.

AETNA PHARMACY MANAGEMENT,

Defendant.

Case No. 3:24-cv-05681-TMC

ORDER ON REFERRAL NOTICE AND
CONTINUING IN FORMA PAUPERIS
STATUS

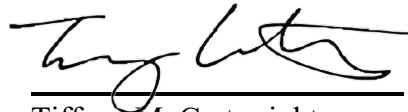
This matter comes before the Court on the February 5, 2025 Referral Notice from the Ninth Circuit Court of Appeals. On December 31, 2024, the Court adopted the Report and Recommendation of U.S. Magistrate Judge Theresa L. Fricke and dismissed this case without prejudice. U.S. Magistrate Judge Theresa L. Fricke had previously granted pro se plaintiff Christopher Briggs' motion to proceed in forma pauperis ("IFP"). Dkt. 3.

In the pending Referral Notice, the Ninth Circuit Court of Appeals referred this case to this Court for the limited purpose of determining whether Mr. Briggs' IFP status "should continue for this appeal or whether the appeal is frivolous or taken in bad faith." Dkt. 13 (citing 28 U.S.C. § 1915(a)(3) and *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002)).

The Court determines that Mr. Briggs may continue his IFP status on appeal.

1 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
2 to any party appearing pro se at said party's last known address.

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4 Dated this 7th day of February, 2025.

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6 Tiffany M. Cartwright
7 United States District Judge
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